

Benefits of Brownfields Legislation

This document presents a summary of Public Law 107-118. It does not constitute a statement of EPA policy, interpretation, or guidance.

Small Business Liability Relief (Title I)

- Exempts certain small volume contributors from Superfund liability
- Exempts certain contributors of municipal solid waste from Superfund liability
- Shifts court costs and attorneys fees to a private party if a private party loses a Superfund contribution action against de micromis or municipal solid waste exempt party

Brownfields Program (Title II - Subtitle A)

- Provides legislative authority for brownfields program including grants for assessment and cleanup
- Expands current brownfields program by increasing funding authority up to \$200 million per year including up to \$50 million per year to assess and cleanup brownfields with petroleum contamination
- Expands eligibility for assessment and cleanup grants
- New provision for direct cleanup grants of up to \$200,000 per site
- Streamlines current requirements for the brownfields cleanup revolving loan fund and makes funding available to nonprofits
- Applies Davis Bacon Act on same terms as authority for current program
- Makes funds available for technical assistance, training and research

Brownfields Liability Clarifications (Title II - Subtitle B)

- Exempts certain contiguous property owners from Superfund liability
- Exempts certain prospective purchasers from Superfund liability
- Clarifies the innocent landholders defense to Superfund liability

State Response Programs (Title II - Subtitle C)

- Supports State and Tribal response programs and preserves Federal safety net
- Provides \$50 million per year for State and Tribal response programs
- Expands activities available for funding of State programs
- Provides Superfund liability relief for certain properties cleaned up under State response programs

EPA Contacts

Brownfields Program: Sven-Erik Kaiser, 202-260-5138
Enforcement/Liability: Paul Connor, 202-564-5114

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